



03266.000100 (Formerly JJ-10 072-1US)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

JEFFREY KENT FREDENBURGH ET AL.

Application No.: 09/726,032

Filed: November 30, 2000

For: ODOR CONTROL AGENT

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Examiner: D. Ware

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Group Art Unit: 1651

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:  
January 4, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of these documents are enclosed.

Specifically, enclosed in their entirety are documents filed by Novozymes Biologicals, Inc. on August 18, 2005, August 19, 2005 and August 25, 2005 in the opposition of European Patent No. 1 096 959 B1, which issued from the European national phase of parent International Application No. PCT/CA99/00628. These documents include declarations alleging prior sales of *Bacillus* spores for deodorizing carpets, including Bi-Chem® GC 600L, Bi-Chem® MSB and Bi-Chem® Bioclean, as well as copies of the alleged formulations of these products. Applicants do not admit that any of the documents filed by Novozymes Biologicals, Inc. and/or information contained therein is prior art.

In addition, the Examiner's attention is directed to the following U.S. Patent Application:

<u>APPLICATION NO.</u>	<u>FILING DATE</u>	<u>GROUP ART UNIT</u>
09/743,757	July 13, 1999	1771

Since it is Applicants' understanding that this application is stored in the U.S. Patent and Trademark Office's IFW system, a copy thereof is not enclosed due to a sua sponte waiver of 37 C.F.R. § 1.98(a)(2)(iii).

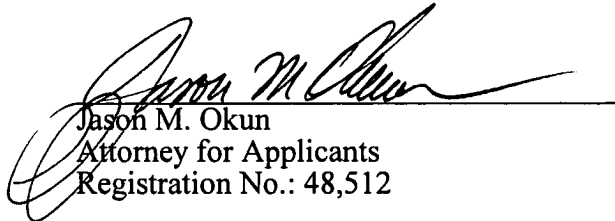
CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

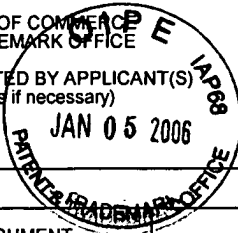
We also enclose a check for the required fee of \$180.00 to cover the Information Disclosure Statement under 37 C.F.R. § 1.97(c)(2).

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Jason M. Okun  
Attorney for Applicants  
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FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			ATTY DOCKET NO. <b>03266.000100</b>		APPLICATION NO. <b>09/726,032</b>		
			APPLICANT <b>Jeffrey Kent Fredenburgh et al.</b>				
			FILING DATE <b>November 30, 2000</b>		GROUP <b>1651</b>		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		<b>4,946,672</b>	<b>08/07/90</b>	<b>Gibbs</b>	<b>424</b>	<b>76.1</b>	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		<b>Response to Summons in Opposition by Novozymes Biologicals, Inc. in European Patent No. 1 096 959 B1 with attached Declarations and Exhibits (139 pages) (August 2005).</b>					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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